**Amendments to the Drawings:**

Replacement sheets of Figures 5 and 6 are attached to this response. Figures 5 and 6 have been amended to be consistent with the written description.

In Fig. 5, detail 40 is relabeled --EXTRACT AREAS OF COLOR CHART CT--; detail 42 is relabeled --GENERATE PROFILE DATA--; and detail 43 is relabeled --STORE PROFILE DATA--.

In Fig. 6, detail 54 is relabeled -- SET PROFILE DATA--.

## REMARKS

These amendments and remarks are being filed in response to the Office Action dated November 4, 2004. For the following reasons this application should be allowed and the case passed to issue.

No new matter is introduced by this amendment. The specification and drawings are amended to correct informalities. The amendments to claims 1 and 4 are supported by the specification at page 6, lines 10-14; page 23, line 18 to page 24, line 9; and page 26, lines 19-25, which disclose that the printing press includes plate generating mechanisms and printing mechanisms, and profile data in accordance with characteristics of both the plate generating mechanisms and the printing mechanisms of the printing press is generated. Support for picking up an image of the printing medium transported with its leading edge being pinched and its rear edge being sucked is found in the specification at page 15, lines 13 to 18; page 15, line 25 to page 16, line 2; page 16, lines 17 to 24; page 17, lines 11 to 14; and page 17, line 19 to page 18, line 1. Page 21, lines 4 to 17 of the specification supports the profile data obtained by adjusting the second printing condition including at least one of a condition of the amount of ink and a condition of the amount of damping water is stored in association with the second printing condition, and when a printing process is newly carried out, at least one of the condition of the amount of ink and the condition of the amount of damping water is adjusted in accordance with the second printing condition in association with the profile data. Claims 2 and 6 are amended to maintain consistency with their respective independent claims.

Claims 1, 2, 4, and 6 are pending in this application. Claims 1-11 are rejected. Claim 9 is objected to. Claims 1, 2, 4, and 6 have been amended. Claims 3, 5, and 7-11 have been canceled.

***Information Disclosure Statement***

In response to the Examiner's concerns about the lack of English translation of several references listed in the Information Disclosure Statement:

German Patent No. 19844495 A is an application on which the cited Weichmann et al. (U.S. Patent No. 6,580,524) reference is based.

An English translation of the abstract of German Patent No. 19533811 A is attached to this response. Applicant notes that prior to the issuance of the November 4, 2004 Office Action, that applicant recognized only that the reference was classified into category "A" (technological background) in the European Search Report, did not have an English translation of the reference, and did not understand the technical contents whatsoever of the reference, which is written in the German language.

"Cooperation for Integration of Prepress, Press, and Postpress", Catalogue of Dainippon Screen Mfg. Co., Ltd., July 1999, pp. 1-4, was filed with partial English translation on August 7, 2002.

***Objections to the Specification***

The disclosure is objected to because of misspellings and other informalities. This objection is traversed, and reconsideration and withdrawal thereof respectfully requested.

The specification has been amended to correct the asserted informalities.

***Objections to the Drawings***

The drawings are objected to because of details in Figures 5 and 6 that are not labeled consistently with the specification. This objection is traversed, and reconsideration and withdrawal thereof respectfully requested.

Replacement sheets of Figures 5 and 6 are attached with detail labels that are consistent with the written description.

***Objections to the Claims***

Claim 9 is objected to because of a misspelling. This objection is moot, as claim 9 has been canceled.

***Claim Rejections Under 35 U.S.C. § 102***

Claims 1, 4, 5, 9, and 11 were rejected under 35 U.S.C. 102(e) as being anticipated by Weichmann et al. (U.S. Patent No. 6,580,524). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the instant invention as claimed, and the cited prior art.

An aspect of the present invention, per claim 1, is a method of managing print colors in a process for carrying out printing while using a printing press. The printing press includes plate generating mechanisms for recording a printing plate on the basis of image data obtained by subjecting multi-value image data to RIP and printing mechanisms for carrying out printing by supplying ink on the printing plate. The method comprises a step of determining a first printing condition including at least one of an ink kind condition and a condition of a kind of a printing medium used in the printing mechanisms. A recording step records a color chart on a printing plate while using the plate generating mechanisms. A printing step adjusts a second printing condition including at least one of a condition of the amount of the ink and a condition of the amount of damping water. The color chart is printed on a printing medium in accordance with the first printing condition while using the printing mechanisms. An image pickup step picks up an image of the printing medium, which is transported with its leading edge being pinched and its rear edge being sucked. A

detecting step detects a print color on the color chart on the printing medium from image data obtained by the image pickup step. A profile data generating step generates profile data in accordance with characteristics of both of the plate generating mechanisms and the printing mechanisms of the printing press based upon the print color. A profile data storage step of stores the profile data in association with both of the first and second printing conditions. When a printing process is newly carried out using the printing press in accordance with the first printing condition a color correction prior to a RIP process is carried out on multi-value image data with reference to the profile data. At least one of the condition of the amount of the ink and the condition of the amount of the damping water is adjusted in accordance with the second printing condition in association with the profile data.

Another aspect of the invention, per claim 4, is a plate-recording and printing system comprising a printing press. The printing press includes plate generating mechanisms for recording a printing plate on the basis of image data obtained by subjecting multi-value image data to RIP and printing mechanisms for carrying out printing by supplying ink on the printing plate. The plate-recording and printing system further comprise a printing condition setting element setting a first printing condition including at least one of an ink kind condition and a condition of a kind of a printing medium used in the printing mechanisms. An image pickup element picks up an image of the printing medium being transported with its leading edge being pinched and its rear edge being sucked. The printing medium is printed in accordance with the first printing condition by adjusting a second printing condition including at least one of a condition of the amount of the ink and a condition of the amount of damping water by the printing mechanisms while using a printing plate on which a color chart has been recorded by the plate generating mechanisms. A color detector detects a

print color of the color chart on the printing medium from image data obtained by the image pickup element. A profile data generator generates profile data in accordance with characteristics of both of the plate generating mechanisms and the printing mechanisms of the printing press based upon the detected print color. A profile data storage memory stores the profile data in association with both of the first and second printing conditions. When a printing process is newly carried out using the printing press in accordance with the first printing condition a color correction prior to a RIP process is carried out on multi-value image data with reference to the profile data. At least one of the condition of the amount of the ink and the condition of the amount of the damping water is adjusted in accordance with the second printing condition in association with the profile data.

The Examiner asserts that Weichmann discloses a method of managing print colors in a process for recording a printing plate on the basis of image data obtained by subjecting multi-value image data to RIP and carrying out printing by supplying ink on the printing plate. The method comprises: a recording step, printing condition determining step, printing step, detecting step, profile data generating step, and profile data storage data step.

The invention recited in claims 1 and 4 require the following features (a) to (c), which are not disclosed by Weichmann.

(a) printing press including printing mechanisms and plate generating mechanisms, and profile data in generated in accordance with characteristics of both of the printing mechanisms and the plate generating mechanisms;

(b) picking up an image of the printing medium transported with its leading edge being pinched and its rear edge being sucked; and

(c) profile data obtained by adjusting the second printing condition including at least one of a condition of the amount of ink and a condition of the amount of damping water is stored in association with the second printing condition; and when a printing process is newly carried out, at least one of the condition of the amount of ink and the condition of the amount of damping water is adjusted in accordance with the second printing condition in association with the profile data.

According to feature (a) the profile data has correction information that excludes not only the influence of color characteristics of the "printing mechanisms" of the printing press but the influence of color characteristics of the "plate generating mechanisms" of the printing press. The use of such profile allows appropriate color matching in the instant invention.

In contrast, Weichmann discloses the idea of "generating profile data in accordance with characteristics of printing mechanisms" (col. 4, lines 37-41). Weichmann, however, fails to disclose "generating profile data in accordance with characteristics of plate generating mechanisms."

Feature (b) allows the image pickup of the printing medium to be performed promptly with stability. Further, the profile data, which is generated from image data that has been obtained from such image pickup, can be generated with great precision.

Feature (c) further distinguishes the instant claims. The "first printing condition" is used in identifying profile data that is referred to when a printing process is newly carried out. On the other hand, the "second printing condition" is used in adjusting the amount of ink, etc. after the identification of the profile data so that the profile data functions effectively. As such, the "first" and "second" printing conditions play completely different roles from each other.

It is recognized that the invention disclosed by Weichmann is directed to "storing a color profile in association with external parameter in a profile pool, and selecting the color profile based on the external parameter in an RIP process (col. 4, lines 37 to 41; col. 7, lines 6 to 14). Accordingly, the "external parameter" in Weichmann corresponds to the claimed "first printing condition" in claim 1. Therefore, Weichmann fails to disclose anything about the technical matters corresponding to the "second printing condition".

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the disclosure in a single reference of each element of a claimed invention. *Helifix Ltd. v. Blok-Lok Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994); *Hoover Group, Inc. v. Custom Metalcraft, Inc.*, 66 F.3d 399, 36 USPQ2d 1101 (Fed. Cir. 1995); *Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992); *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). Because Weichmann does not disclose (a) the printing press including printing mechanisms and plate generating mechanisms, and profile data in generated in accordance with characteristics of both of the printing mechanisms and the plate generating mechanisms; (b) picking up an image of the printing medium transported with its leading edge being pinched and its rear edge being sucked; and (c) profile data obtained by adjusting the second printing condition including at least one of a condition of the amount of ink and a condition of the amount of damping water is stored in association with the second printing condition; and when a printing process is newly carried out, at least one of the condition of the amount of ink and the condition of the amount of damping water is adjusted in accordance with

the second printing condition in association with the profile data, as required by claims 1 and 4, Weichmann does not anticipate claims 1 and 4.

Applicant further submits that Weichmann does not suggest the claimed method and system.

***Claim Rejections Under 35 U.S.C. § 103***

Claims 2, 3, 6, 7, and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Weichmann in view of Pekelman (U.S. Patent No. 6,069,707). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested.

Weichmann and Pekelman, whether taken alone or in combination, do not suggest the claimed method and system. Pekelman does not cure the deficiencies of Weichmann, as Pekelman does not suggest the claimed method and system comprising the required (a) printing press including printing mechanisms and plate generating mechanisms, and profile data in generated in accordance with characteristics of both of the printing mechanisms and the plate generating mechanisms; (b) picking up an image of the printing medium transported with its leading edge being pinched and its rear edge being sucked; and (c) profile data obtained by adjusting the second printing condition including at least one of a condition of the amount of ink and a condition of the amount of damping water is stored in association with the second printing condition; and when a printing process is newly carried out, at least one of the condition of the amount of ink and the condition of the amount of damping water is adjusted in accordance with the second printing condition in association with the profile data.

Pekelman merely suggests the existence of "plate generating mechanisms" (col. 13, line 62 to col. 14, line 2), and fails to suggest the "relationship of the plate generating mechanisms and profile data." Therefore, the combination of Weichmann and Pekelman would not result in

the disclosure of "generating profile data in accordance with characteristics of both of the printing mechanisms and the plate generating mechanisms of the printing press." Further, Pekelman does not suggest the "second printing condition.".

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Weichmann in view of Pekelman and further in view of Lloyd et al. (U.S. Patent No. 5,508,826). This rejection is moot, as claim 8 has been canceled.

Furthermore, Lloyd does not cure the deficiencies of Weichmann, as Lloyd does not suggest the claimed method and system comprising the required (a) printing press including printing mechanisms and plate generating mechanisms, and profile data in generated in accordance with characteristics of both of the printing mechanisms and the plate generating mechanisms; (b) picking up an image of the printing medium transported with its leading edge being pinched and its rear edge being sucked; and (c) profile data obtained by adjusting the second printing condition including at least one of a condition of the amount of ink and a condition of the amount of damping water is stored in association with the second printing condition; and when a printing process is newly carried out, at least one of the condition of the amount of ink and the condition of the amount of damping water is adjusted in accordance with the second printing condition in association with the profile data.

Claims 2 and 6 further distinguish the claimed invention and are allowable for at least the same reasons as their respective independent claims.

In view of the above amendments and remarks, Applicant submits that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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